

6

Approved, SCAO

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STATE OF MICHIGAN MIE JUDICIAL DISTRICT 6 JUDICIAL CIRCUIT	ANSWER, CIVIL (PAGE 1 OF <u>5</u>)	CASE NO. 5:18-cv-10092-JEL-EAS Hon. Judith E. Levy
Court address Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Room 564, Detroit, MI 48226		Court telephone no. (313) 234-5000

Plaintiff's name(s), address(es), and telephone no(s). Strike 3 Holdings, LLC 2140 S. Dupont Hwy Camden, DE 19934	v	Defendant's name(s), address(es), and telephone no(s). Jim Prantzalos 15890 Patriot Drive Macomb, MI 48044
Plaintiff's attorney, bar no., address, and telephone no. Joel A. Bernier - P74226 49139 Schoenherr Shelby Township, MI 48315 (586) 991-761		Defendant's attorney, bar no., address, and telephone no.

- ☒ Defendant,
☐ Attorney for defendant, in answer to the complaint, states: (Paragraph numbers in the answer must correspond to paragraphs in the complaint. Attach additional sheets if necessary.)
1. I ☐ agree with the statements in paragraph 1.
☒ disagree with the statements in paragraph 1 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 1 are true.
2. I ☐ agree with the statements in paragraph 2.
☐ disagree with the statements in paragraph 2 because _____
☒ do not know if the statements in paragraph 2 are true.
3. I ☐ agree with the statements in paragraph 3.
☐ disagree with the statements in paragraph 3 because _____
☒ do not know if the statements in paragraph 3 are true.
4. I ☐ agree with the statements in paragraph 4.
☒ disagree with the statements in paragraph 4 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 4 are true.
5. I ☐ agree with the statements in paragraph 5.
☒ disagree with the statements in paragraph 5 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 5 are true.

☒ continued on page 2.

4-24-2018
 Date



 Defendant's Attorney signature
 Jim Prantzalos
 Name (type or print)

IMPORTANT: If you have affirmative defenses, you must state them now using the last page of this form. If you do not, the court may prohibit you from raising them later. An affirmative defense is a defense claiming that the plaintiff is not entitled to a judgment because other facts exist that create a lawful defense. Affirmative defenses allow you to provide information to the court that is not stated in the plaintiff's complaint.

CERTIFICATE OF SERVICE

I certify that on this date I served a copy of this answer on the plaintiff(s) or their attorney(s) by
☐ personal service. ☐ first-class mail addressed to their last-known address(es) as defined in MCR 2.107(C)(3).

4-24-2018
 Date


 Signature

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 Plaintiff's name(s)
 Strike 3 Holdings, LLC

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 Jim Prantzos

continued from page 1.

6. I ☐ agree with the statements in paragraph 6.
☐ disagree with the statements in paragraph 6 because _____
☒ do not know if the statements in paragraph 6 are true.
7. I ☐ agree with the statements in paragraph 7.
☐ disagree with the statements in paragraph 7 because _____
☒ do not know if the statements in paragraph 7 are true.
8. I ☐ agree with the statements in paragraph 8.
☒ disagree with the statements in paragraph 8 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 8 are true.
9. I ☐ agree with the statements in paragraph 9.
☒ disagree with the statements in paragraph 9 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 9 are true.
10. I ☐ agree with the statements in paragraph 10.
☐ disagree with the statements in paragraph 10 because _____
☒ do not know if the statements in paragraph 10 are true.
11. I ☐ agree with the statements in paragraph 11.
☐ disagree with the statements in paragraph 11 because _____
☒ do not know if the statements in paragraph 11 are true.
12. I ☒ agree with the statements in paragraph 12.
☐ disagree with the statements in paragraph 12 because _____
☐ do not know if the statements in paragraph 12 are true.
13. I ☐ agree with the statements in paragraph 13.
☐ disagree with the statements in paragraph 13 because _____
☒ do not know if the statements in paragraph 13 are true.
14. I ☐ agree with the statements in paragraph 14.
☐ disagree with the statements in paragraph 14 because _____
☒ do not know if the statements in paragraph 14 are true.
15. I ☐ agree with the statements in paragraph 15.
☐ disagree with the statements in paragraph 15 because _____
☒ do not know if the statements in paragraph 15 are true.
16. I ☐ agree with the statements in paragraph 16.
☐ disagree with the statements in paragraph 16 because _____
☒ do not know if the statements in paragraph 16 are true.
17. I ☐ agree with the statements in paragraph 17.
☐ disagree with the statements in paragraph 17 because _____
☒ do not know if the statements in paragraph 17 are true.

☒ continued on page 3.

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 Plaintiff's name(s)
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 Jim Prantzos

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18. I ☐ agree with the statements in paragraph 18.
☐ disagree with the statements in paragraph 18 because _____
☒ do not know if the statements in paragraph 18 are true.
19. I ☐ agree with the statements in paragraph 19.
☐ disagree with the statements in paragraph 19 because _____
☒ do not know if the statements in paragraph 19 are true.
20. I ☐ agree with the statements in paragraph 20.
☐ disagree with the statements in paragraph 20 because _____
☒ do not know if the statements in paragraph 20 are true.
21. I ☐ agree with the statements in paragraph 21.
☐ disagree with the statements in paragraph 21 because _____
☒ do not know if the statements in paragraph 21 are true.
22. I ☐ agree with the statements in paragraph 22.
☐ disagree with the statements in paragraph 22 because _____
☒ do not know if the statements in paragraph 22 are true.
23. I ☐ agree with the statements in paragraph 23.
☒ disagree with the statements in paragraph 23 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 23 are true.
24. I ☐ agree with the statements in paragraph 24.
☒ disagree with the statements in paragraph 24 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 24 are true.
25. I ☐ agree with the statements in paragraph 25.
☒ disagree with the statements in paragraph 25 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 25 are true.
26. I ☐ agree with the statements in paragraph 26.
☒ disagree with the statements in paragraph 26 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 26 are true.
27. I ☐ agree with the statements in paragraph 27.
☒ disagree with the statements in paragraph 27 because plaintiff has not provided any evidence in support of this allegation
☐ do not know if the statements in paragraph 27 are true.
28. I ☐ agree with the statements in paragraph 28.
☐ disagree with the statements in paragraph 28 because _____
☒ do not know if the statements in paragraph 28 are true.
29. I ☐ agree with the statements in paragraph 29.
☐ disagree with the statements in paragraph 29 because _____
☒ do not know if the statements in paragraph 29 are true.
- ☒ continued on page 4.

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Plaintiff's name(s)
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continued from page 3.

30. I ☐ agree with the statements in paragraph 30.
☒ disagree with the statements in paragraph 30 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 30 are true.
31. I ☐ agree with the statements in paragraph 31.
☐ disagree with the statements in paragraph 31 because _____.
☒ do not know if the statements in paragraph 31 are true.
32. I ☐ agree with the statements in paragraph 32.
☐ disagree with the statements in paragraph 32 because _____.
☒ do not know if the statements in paragraph 32 are true.
33. I ☐ agree with the statements in paragraph 33.
☐ disagree with the statements in paragraph 33 because _____.
☒ do not know if the statements in paragraph 33 are true.
34. I ☐ agree with the statements in paragraph 34.
☐ disagree with the statements in paragraph 34 because _____.
☒ do not know if the statements in paragraph 34 are true.
35. I ☐ agree with the statements in paragraph 35.
☐ disagree with the statements in paragraph 35 because _____.
☒ do not know if the statements in paragraph 35 are true.
36. I ☐ agree with the statements in paragraph 36.
☒ disagree with the statements in paragraph 36 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 36 are true.
37. I ☐ agree with the statements in paragraph 37.
☐ disagree with the statements in paragraph 37 because _____.
☒ do not know if the statements in paragraph 37 are true.
38. I ☐ agree with the statements in paragraph 38.
☒ disagree with the statements in paragraph 38 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 38 are true.
39. I ☐ agree with the statements in paragraph 39.
☒ disagree with the statements in paragraph 39 because plaintiff has not provided any evidence in support of this allegation.
☐ do not know if the statements in paragraph 39 are true.

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5:18-cv-10092-JEL-EAS
Hon. Judith E. Levy

Plaintiff's name(s)

Strike 3 Holdings, LLC

v

Defendant's name(s)

Jim Prantzalos

AFFIRMATIVE DEFENSES☒ Defendant, ☐ Attorney for defendant, states the following affirmative defenses:**CHECK ALL THAT APPLY (for each box checked, attach a statement of facts)**

- ☐ 1. I paid this debt in full (satisfied). Attached is proof of payment.
- ☐ 2. This action is barred by the statute of limitations because
- ☐ the plaintiff failed to sue within six years of _____, the last activity on the alleged account. MCL 600.5807(8).
Date
- ☐ the alleged contract involves a motor vehicle retail installment sales contract or the sale of other goods, and the plaintiff failed to sue within four years of _____, the last activity on the alleged account. MCL 440.2725(1).
Date
- ☐ the plaintiff failed to sue within three years after the alleged contract of sale of a mobile home on _____.
MCL 125.2333. Date
- ☐ 3. ☐ I paid an amount that the plaintiff accepted as payment in full (accord and satisfaction). Attached is proof of payment.
- ☐ The debt was discharged in bankruptcy. The case number was _____.
- ☐ 4. The contract is void or voidable because
- ☐ I was a minor when the alleged contract was made. My birth date is _____.
- ☐ I was not mentally competent when the alleged contract was made. Probate case number _____.
Attached are my letters of conservatorship/guardianship.
- ☐ there was no valid contract (no meeting of the minds) because _____.
- ☐ 5. The contract was severely unjust or extremely one-sided (unconscionable).
- ☐ 6. I am not liable for the alleged damages because of the plaintiff's contributory negligence.
- ☐ 7. The alleged contract is unenforceable because it is not in writing (statute of frauds).
- ☐ 8. My vehicle was repossessed and later sold in a commercially unreasonable manner. MCL 440.9607(3).
- ☐ 9. The contract should not be enforced because of the plaintiff's improper conduct (fraud and/or duress).
- ☐ 10. The goods purchased were defective (failure of consideration).
- ☐ 11. The terms of the contract did not express what the parties intended (mutual mistake).
- ☐ 12. I have not been credited for all payments made on the alleged account. Attached is proof of payment.
- ☐ 13. Other:

Date

4-24-2018

Defendant/Attorney Signature

Jim Prantzalos

Name (type or print)

Jim Prantzas
15890 Patriot Dr.
Macomb, MI 48044



1000

48226

U.S. POSTAGE
PAID
CLINTON TOWNSHIP, MI
48038
APR 27, 18
AMOUNT
\$0.71
R2305K136486-23

RECEIVED
APR 30 2018
CLERKS OFFICE
U.S. DISTRICT COURT

THEODORE LEVIN U.S. COURTHOUSE
231 W. LAFAYETTE BLVD.
ROOM 564
DETROIT, MI 48226

48226-271839

